

Matteoni Saxe & O'Laughlin

L A W Y E R S

March 11, 2005

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Mayor Ron Gonzales
Councilmember Forrest Williams
Co-Chairs, Coyote Valley Specific Plan Task Force
City of San Jose
801 North First Street
San Jose, CA 95110

Re: Tavern Owners Investment, Inc. Property on South Side of
Laguna Avenue; APN #712-19-01

Dear Co-Chairs and Task Force Members:

I write to you on behalf of the Taverns Owners Investment, Inc. group which owns 65 acres on the south side of Laguna Avenue. The property is held by numerous shareholders who are old line San Jose business people. The owners have been following the Coyote Valley Specific Plan for the shareholders and has identified certain concerns regarding this property as the current version of the plan would affect it.

Based on information received by the Tavern Owners, this property and others along Laguna and Richmond Avenues is being planned to carry a heavy public burden for the development of Coyote Valley. Specifically, the Tavern Owners' property is scheduled to have 4.5 acres at R-4 zoning (up to 30 units per acre) and 8.5 acres of R-5 zoning (up to 22 units per acre), but out of the total 65 acres comes a park, a school and a church site, roadways and probably creek area. In fact, the study shows that almost 80% of the property will have to be dedicated to public use or reserved for a school and church. This means that this particular parcel has just 13 acres of developable land.



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The apparent rationale for this is that the higher densities provided would justify dedications or making available land for other public uses. (There is also the possibility that some portion of this land would be bought for general uses by the developers at some future unknown cost).

This makes the property carry a disproportionate burden for the overall development of Coyote Valley.

We know that part of the plan places high density housing near the proposed lake and transit hub. Higher density, in our judgment, does not work for this parcel. It is not realistic to market the property at such densities. Real residential development prospects are at R-1 densities. Thus, we are being asked to dedicate more than others who have lower densities. These owners have no prospect of realizing the densities currently shown on paper.

We ask that this property be planned at lower residential densities without these excessive dedication requirements.

I would like to address this to the Task Force in more extensive discussion at a future meeting. Please let me know when that can take place.

Very truly yours,



NORMAN E. MATTEONI

NEM:sd

cc: Nate Wasserman
Doug Dahlin
Salifu Yakubu, SJ Planning